

Appl. No. : 10/748,869  
Filed : December 30, 2003

### REMARKS

In response to the Office Action mailed December 14, 2006, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

#### **Rejections based on 35 U.S.C. 112, second paragraph**

Claims 7 and 9 have been amended to correct the informalities noted by the Examiner.

#### **Double Patenting and Rejections based upon prior**

Claims 12-17 and 30-34 are subject to a non-statutory double patenting rejection. With respect to Claims 12-17, these claims were canceled in the previous amendment. With respect to Claims 30-34, as discussed above with respect to independent Claim 28, Applicant respectfully submits that these claims are patentable over U.S. Patent No. 6,679,913 and the cited art.

Claims 1, 3, 6, 7 and 10 stand rejected as anticipated by Fradera (USPN 4,790,753). Claims 8, 9 and 11 stand rejected as unpatentable over Fradera. Claims 4, 5, 8, 9 and 11 stand rejected as obvious over Fradera in view of Hurson (WO 01/850050). Claims 18-17 and 35 stand rejected as unpatentable over Fradera in view of Marlin (USPN 4,790,753) in view of Meiers (USPN 5,688,123). Claims 28 and 29 stand rejected as unpatentable over Fradera in view of Kumar (USPN 6,951,462).

With respect to independent Claim 1, this claim now recites, in part, that the mating component includes "one more lever arms or prongs configured to engage the notch." In a similar manner, independent Claim 28 recites, in part, "engaging a lever arm or prong of a mating component to the notch in the internal bore to releaseably couple a mating component to the dental implant."

The primary reference (Fradera) and the secondary references (Hurson, Kumar, Meiers, and Marlin) do not disclose, teach or suggest, either alone or in combination, a "lever arm or prong" that mates with an notch with an internal bore. U.S. Patent No. 6,679,913 also does not disclose, teach or suggest this feature. For at least this reason, Applicant submits that Claims 1 and 28 and their dependent claims are in condition for allowance.

Applicant respectfully submits it would not be obvious to modify the cited art to include the claimed prongs and levers. The claimed arrangement of prongs or lever arms advantageously provides an arrangement that reduces the number of parts and facilitates formation of the mating

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component through injection plastic molding. In contrast, the mechanism disclosed by Kumar requires additional components and is not suitable for manufacturing through injection molding. In addition, the claimed arrangement of using the internal bore to receive the lever arm or prongs is advantageous in that the snapping surfaces are distanced away from the gum margins such that the gum tissue cannot interfere with the snapping function.

**New Claim**

New Claim 36 has been added. This claim depends upon allowable Claim 1 and, for at least this reason, is also in condition for allowance.

**CONCLUSION**

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims and specification. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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